

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.,

Plaintiff,

v.

ALCATEL-LUCENT USA, INC., et al.,

Defendants.

Civil Action No. 6:15-cv-00041-RWS

**CONSOLIDATED LEAD CASE
PATENT CASE**

ADAPTIX, INC.,

v.

**ALCATEL-LUCENT USA, INC., and
CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS**

**Civil Action No. 6:15-cv-00604
PATENT CASE**

**PLAINTIFF'S ANSWER TO DEFENDANT
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS'S
COUNTERCLAIMS**

Plaintiff, ADAPTIX Inc. ("ADAPTIX"), answers the counterclaims of Defendant Cellco Partnership d/b/a Verizon Wireless ("Defendant"), as follows:

COUNTERCLAIMS FOR DECLARATORY JUDGMENT

NATURE OF THE ACTION

1. Denies that Adaptix's allegations are baseless, but otherwise admits.
2. Admits.
3. Admits.
4. Admits.

JURISDICTION AND VENUE

5. Denies that 28 U.S.C. § 2201 provides jurisdiction, but otherwise admits.
6. Admits that venue is proper, but otherwise denies.

PARTIES

7. Admits.
8. Admits.

COUNTERCLAIM COUNT I

(Non-Infringement of U.S. Patent No. 8,934,445)

9. See paragraphs 1 through 8, above.
10. Denies.
11. Denies.

COUNTERCLAIM COUNT II

(Invalidity of U.S. Patent No. 8,934,445)

12. See paragraphs 1 through 8, above.
13. Denies.
14. Denies.

PRAYER FOR RELIEF

WHEREFORE, ADAPTIX respectfully requests that this Court:

- a. Deny all relief requested in Defendant's Counterclaims;
- b. Grant the relief requested by ADAPTIX in its Complaint; and
- c. Grant ADAPTIX such further relief as this Court finds appropriate.

Date: August 5, 2015

Respectfully submitted,

By: /s/ Paul J. Hayes

Paul J. Hayes

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**ATTORNEYS FOR PLAINTIFF
ADAPTIX, INC.**

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 5th day of August, 2015, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Paul J. Hayes

Paul J. Hayes